DEC 2 9 2003

## FACSIMILE COVER SHEET

Licata & Tyrrell P.C.

66 E. Main Street Marlton, New Jersey

Tel: (856) 810-1515 Fax: (856) 810-1454

December 23, 2003

TO: Examiner (TC1600)

**GROUP:** 1632

FAX NUMBER: 703-872-9307

ATTORNEY DOCKET NO.: DEX-0054

SERIAL NO.: 09/426,548

**FILED:** October 22, 1999

NUMBER OF PAGES: 19

MESSAGE: Attached please find Combined Amendment & Petition for Extension of Time Transmittal Letter (in duplicate); Request for Continued Examination (RCE)Transmittal Letter (in duplicate); and Preliminary Amendment; USPTO Credit Card Payment Form authorizing payment in the amount of\$1,720.00 (\$770.00 for RCE and \$950.00 for Extension of Time filing fees) and Certificate of Transmission by Facsimile.

Kathleen A. Tyrrell, Registration No. 38,350

URGENT! PLEASE DELIVER IMMEDIATELY UPON RECEIPT. THANK YOU!

\* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \* \*

If you have any questions, or did not receive the proper number of pages, or had trouble during transmission, please call 856-810-1515.

## CONFIDENTIALITY NOTICE

The information contained in this facsimile message is legally privileged and confidential, and intended only for the use of the individual(s) and/or entity(ies) named above. If you are not the intended recipient, you are hereby notified that any unauthorized disclosure, copying distribution or taking of any action in reliance on the contents of the telecopied materials is strictly prohibited and review by any individual other than the intended recipient shall not constitute waiver of the attorney client privilege. If you have received this transmission in error, please immediately notify us by relephone in order to arrange for the return of the materials. Thank you.

	COMBINED AMENDMENT & PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Large Entity)					Docket No. DEX-0054		
In Re Applicati	on Of: Rob	obins et al.					<u> </u>	
Serial No 09/426,548			ng Date r 22, 1999	V	Examiner Voitach, Joseph			Group Art Ur 1632
invention: No	vel Mutation	ns in Humar	1 MLH1 and Hur	man MSH2	Genes Useful	in Dia	gnosing Co	olorectal Cancer
	, <u> </u>		O THE COMMIS	SIONER F	OR PATENTS		·	
This is a combin			May 1, 2002		of 37 CFR 1.13 ve-identified a			the period for filir
	xtension is	as follows (	<i>pae</i> check time perio					
			check time perio	od desired) Three mon		our mo	onths	☐ Five months
The requested of	onth	as follows (	onths 🖾		ths 🗖 Fo			☐ Five months
The requested of One m	onth O	as follows (  Two me	onths 🖾	Three mon	ths 🗖 Fo	cembe	onths r 30, 2003	☐ Five months
The requested of One more from:	onth O 0003 501619	as follows (	onths 🖾	Three mon	ths 🗖 Fo	cembe	г 30, 2003	☐ Five months
The requested of One more from:	onth O 0003 501619	as follows (  Two me	onths 🖾	Three mon	ths 🗖 Fo	cembe	г 30, 2003	☐ Five months
The requested of One more from:	onth O 0003 501619	as follows (  Two me	onths 🖾	Three mon	ths 🗖 Fo	cembe	г 30, 2003	☐ Five months
The requested of One many from:	onth O 0003 501619	as follows (  Two me	onths 🖾	Three mon	ths 🗖 Fo	cembe	г 30, 2003	☐ Five months
The requested of One more from:	onth O 0003 501619	as follows (  Two me	onths 🖾	Three mon	ths 🗖 Fo	cembe	г 30, 2003	☐ Five months
The requested of One rr from: 004 SSANDARA 0000	Onth O003 501619 DA	as follows (  Two moder 1, 200  09425548	onths 🖾	Three mon until:	ths Dec	oembe D	T 30, 2 <u>003</u>	☐ Five months
The requested of One rr from: 004 SSANDARA 0000	Onth O003 501619 DA	as follows (  Two moder 1, 200  09425548	check time perio	Three mon until:	ths Dec	oembe D	T 30, 2 <u>003</u>	☐ Five months
The requested of One rr from: 004 SSANDARA 0000	Onth O003 501619 DA	as follows (  Two moder 1, 200  09425548	icheck time perio	Three mon until:	ths Dec	oembe D	T 30, 2 <u>003</u>	☐ Five months
The requested of One rr from: 004 SSANDARA 0000	Onth O003 501619 DA	as follows (  Two metober 1, 200  09425548	icheck time perio	Three mon until: been calcu	ths Dec	oembe D	T 30, 2 <u>003</u>	☐ Five months
The requested of One rr from: 004 SSANDARA 0000	Onth O0003 501619 DA amendment	as follows (  Two models of the control of the cont	ion of time has because the check time period on the control of time has because the characteristic of the cha	Three mon until: Deen calcu AS AMENI	ated as shown	oembe D	T 30, 2 <u>003</u>	ADDITIONAL
The requested of One more from:  904 558NDARA 0000 953 950.00	onth Onth Onth Onth Onth Onth Onth Onth O	as follows (  Two models of the control of the cont	ion of time has be CLAIMS HIGHEST# PREV. PAID FO	Three mon until: Deen calcu AS AMENI	ths Dec	n belo	r 30, 2003 ate w:	
The requested of One rr from: 004 SSANDARA 0000 253 950.00  The fee for the records of the	onth On 0003 501619 DA amendment CLAIM\$ RE AFTER AM	as follows (  Two models of the second of th	ion of time has be CLAIMS HIGHEST # PREV. PAID FO	Three monuntil:  Deen calcu  AS AMENI  DR CL	ated as shown DED MBER EXTRA	oembe D	r 30, 2003 ate	ADDITI <b>Ç</b> NAI FEE
The requested of One rr from:	Onth On One One One One One One One One One O	as follows (  Two models of the second of th	ion of time has be CLAIMS HIGHEST # PREV. PAID FO	Three monuntil:	ated as shown DED MBER EXTRA MMS PRESENT 0	p below	w: RATE \$18.00 \$84.00	ADDITIONAL FEE
The requested of One rr from: 004 SSANDARA 0000	Onth On One One One One One One One One One O	as follows (  Two models of the second of th	ion of time has be CLAIMS HIGHEST # PREV. PAID FO	Three monuntil:  Deen calcu  AS AMENI  OR CL	ated as shown DED MBER EXTRA MMS PRESENT 0 0	n below	x: RATE \$18.00 \$84.00	ADDITIONAL FEE \$
The requested of One rr from: 004 SSANDARA 0000 253 950.00  The fee for the representation of the recognition of the recog	Onth On One One One One One One One One One O	as follows (  Two models of the second of th	ion of time has be CLAIMS HIGHEST # PREV. PAID FO	Three monuntil:  Deen calcul  AS AMENI  OR CL  =	ated as shown DED MBER EXTRA MMS PRESENT 0 0 FEE FOR	n below	x: 2003 ate  W:  RATE \$18.00 \$84.00 IDMENT OF TIME	ADDITIONAL FEE \$

→ PTOAF

				Docket No.		
CERTIFICATE OF Applicant(s): Robbins et	TRANSMISSION BY FACS	SIMILE (37 CFR 1.8)		DEX-0054		
Serial No. 09/426,548	Filing Date October 22, 1999	Examiner Woitach, Joseph T.		Group Art Unit 1632		
Novel Mutation in Human MLH1 and Human MSH2 Genes Useful in Diagnosing Colorectal Cancer  DEC 2 9 2003						
REPUE TRADELINA						
I hereby certify that this	Rec	nest for Continued Examinat (Identify type of correspondence)	ion			
is being facsimile transc	mitted to the United States Paten	it and Trademark Office (Fax	. No. 7	03-872-9307		
on December (Date)	23, 2003					
·		Kathleen A (Typed or Printed Name of Pe	. Tyrre	A. Cardicata)		
		$\sim$ $\sim$ $\sim$	n A	ang conginuty		
		Totaller M. Jun	ure)			
	71					
Note: Each paper must have its own certificate of mailing.						
		•				
·						
				•		
1						

DEC 2 9 2003

ENT & TR

PTO/SB/30 (08-03) Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

un fontrol multiple a system is \*Under the Paperwork Reduction Act of 1995, no persons are required to respond to a c

## REQUEST **FOR** CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

displays a valid ONB control Rumber.
09/426,548
October 22, 1999
Robbins
1632
Woitach, Joseph T.
DEX-0054

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO ) on page 2.

8, 1995, or to any design ap	plication. See Instruction Sheet for RCEs (	not to be submitted to					
and amendments enclo applicant does not wish amendment(s).  a. Previously sub	sed with the RCE will be entered in the ord- to have any previously filed unentered amount of the considered as a submission of arguments in the Appeal Brief or	er in which they were endment(s) entered, a tstanding, any an n even if this box	nendments filed after the final sometimes sometimes and checked.	09426548			
ii.	(s)/Declaration(s) iv. \( \times \) Other faction on the above-identified appropriate under 37 CFR 1.17(e) is required by 37 CFs hereby authorized to charge the unt No. \( \frac{50-1619}{2000} \) e required under 37 CFR 1.17(e) is on of time fee (37 CFR 1.136 and 1.17) amount of \$\frac{1}{2000} \] credit card (Form PTO-2038 enclosed) in this form. Provide credit card information on this form may become	plication is request shall not exceed 3 m  CFR 1.114 when the strong following fees, or \$770.00  \$950.00  enclose public. Credit commation and authors	sted under 37 CFR 1.103(c) for onths; Fee under 37 CFR 1.17(i) required RCE is filed.  credit any overpayments, to edd information should not orization on PTO-2038.	01/08/2004 SSANDARA 000003 50 619 02 FC:1801 770.00 DA			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED							
Name (Print/Type)	Kathleen A. Tyrrell		ation No. (Attorney / Agent) 38,350  December 23, 2003				
Signature	Mathew R. God	Date		==<			
	CERTIFICATE OF MAIL respondence is being deposited with the I Mail Stop RCE, Commissioner For Patent hark Office on the date shown below.	ING OR TRANSMI Jnited States Postal 5 5, P.O. Box 1450, Ale	ISSION Service with sufficient postage as first clause with sufficient postage as firs	ass mail in nsmitted to			
Name (Print/Type)		Date					
Signature			be a 5th by the gubile which is to file (and b	v the USP1			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USFTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete desprication form to USFTO. Time will vary depending upon the individual case. Any comments on the gathering, preparing, and submitting the complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

ADDRESS, SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DEC 2 9 2003

PTO/SB/30 (08-03) Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid QMB control number

## REQUEST **FOR** CONTINUED EXAMINATION (RCE) **TRANSMITTAL**

Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Application Number	09/426,548
Filing Date	October 22, 1999
First Named Inventor	Robbins
Art Unit	1632
Examiner Name	Woitach, Joseph T.
Attorney Docket Number	DEX-0054

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO ) on page 2.

and amendments er applicant does not w amendment(s). a. Previously s Office action	equired under 37 CFF closed with the RCE will be sist to have any previously submitted. If a final Of a may be considered the arguments in the	e entered in the filed unentere fice action is a submis	e order in d amendr s outsta ssion ev	which they we nent(s) entered nding, any a en if this bo	d, applicant must request amendments filed at x is not checked.	Instructs otherwise, If non-entry of such
ii. Affidan  2. Miscellaneous a. Suspension a period of b. Other  3. Fees The RCE a. The Director Deposit Acc i. RCE fe ii. Extens iii. Other b. Check in the c. Payment by WARNING: I	fee under 37 CFR 1.17(a) is hereby authorized ount No. <u>50-1619</u> se required under 37 sion of time fee (37 CF)	iv.  iv.  ive-identified riod of suspensis required by to charge to CFR 1.17(equired 1.136 and 1	applica sion shall 37 CFR 1 the follow (17) \$9	Petition for tion is requence as a second se	months; Fee under 37 Che RCE is filed.  The credit any overpay  The credit any overpay  The credit and overpay  The credit and overpay  The credit and overpay	of time  1.103(c) for R 1.17(i) required)  ments, to
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED						
Name (Print/Type)	Kathleen A. Tyrrell	a		Registr	ation No. (Attorney/Agent)	38,350
Signature	Granius H.	indel		Date	December 23, 2003	
CERTIFICATE OF MAILING OR TRANSMISSION						
hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mall Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.						
Name (Print / Type)						
Signature				Date		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, proparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for recueing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office. U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Mail Stop RCE. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PAGE 4/19\* RCVD AT 12/23/2003 2:30:58 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/2\* DNIS:8729307\* CSID:856 810 1454\* DURATION (mm-ss):05-10